

MEMORANDUM OF NON-JURY TRIAL

United States District Court

For the Western District of Pennsylvania

UNITED STATES OF AMERICA

Plaintiff

vs.

No. CRIM 05-11 ERIE

KENNETH FLEETWOOD (1)

a/k/a Michael R. Johnson

Defendant

HEARING ON Motion to Suppress

Before Judge MAURICE B. COHILL, JR.

Marshall J. Piccinini, AUSA

Thomas W. Patton., AFPD

Appear for Plaintiff

Appear for Defendant

Hearing begun 9:00 10-12-05

Hearing adjourned to

Hearing concluded C. A. V. 2:20 10-12-05

Stenographer Mickey Powers

WITNESSES:

For Plaintiff

For Defendant

(WIT#1) Eric Wagner - Pa. State Trooper, (G.Ex.1) Wagner's handdrawn map, admitted

(Def.Ex.B) Ch. Complaint + Affidavit

(WIT#2) Royce Smith - Erie police officer

(D.WIT#1) Adrianna Havelka

(Def.Ex.A) Videotape admitted (Def.Ex.B) - photo of car admitted (Def.Ex.D) handdrawn map of Havelka's

(G.Ex.2) rough notes of Officers Hook + Wagner admitted (G.Ex.3) FBI 302 of Havelka admitted  
argument heard

Motion to Suppress is Denied.